

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. 2:23-cv-01043-JWH-KES

Date March 27, 2024

Title *Entropic Communications, LLC v. DISH Network Corporation, et al.*

Present: The Honorable JOHN W. HOLCOMB, UNITED STATES DISTRICT JUDGE

Clarissa Lara

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff:

None Present

Attorney(s) Present for Defendants:

None Present

Proceedings: (IN CHAMBERS) ORDER AFFIRMING SM-11

Before the Court is the objection of Defendant Comcast¹ to Special Master Order No. SM-11.² The Court concludes that this matter is appropriate for resolution without a hearing. *See* Fed. R. Civ. P. 78; L.R. 7-15.

Special Master David M. Keyzer issued SM-11 in January 2024, in which he (1) lifted the stay of an earlier Special Master Order, SM-5,³ which granted the motion of Plaintiff Entropic Communications, LLC to compel discovery from Comcast; (2) denied Comcast's motion for reconsideration of SM-5; and (3) ordered the production of discovery responses pursuant to SM-5.⁴ Comcast

¹ SEALED Comcast Defs.' Obj. to Special Master Order No. 11 (the "Objection") [ECF No. 324]

² Special Master Mins. and Special Master Orders No. SM-10 and SM-11 ("SM-11") [ECF No. 292].

³ Special Master Order No. SM-5 ("SM-5") [ECF No. 174-1].

⁴ *See id.*

filed an Objection to SM-11, but the substance of that Objection focuses on Entropic's discovery requests that were the subject of SM-5.⁵

Pursuant to the Order appointing Mr. Keyzer as Special Master,⁶ the Court reviews Special Master orders pursuant to Rule 53(f)(3-5) of the Federal Rules of Civil Procedure, which provides as follows:

(3) Reviewing Factual Findings. The court must decide de novo all objections to findings of fact made or recommended by a master, unless the parties, with the court's approval, stipulate that:

(A) the findings will be reviewed for clear error; or

(B) the findings of a master appointed under Rule 53(a)(1)(A) or (C) will be final.

(4) Reviewing Legal Conclusions. The court must decide de novo all objections to conclusions of law made or recommended by a master.

(5) Reviewing Procedural Matters. Unless the appointing order establishes a different standard of review, the court may set aside a master's ruling on a procedural matter only for an abuse of discretion.

Fed. R. Civ. P. 53(f)(3-5).

The decision whether to lift a stay on an order is a procedural matter, reviewed for abuse of discretion. *See id.* The Court concludes that Special Master Keyzer's ruling in SM-11 was not an abuse of discretion. Accordingly, the Court hereby **ORDERS** as follows:

1. SM-11 is **AFFIRMED**.

2. Comcast's instant Objection is **OVERRULED**.

IT IS SO ORDERED.

⁵ See Objection; *see also* SM-5.

⁶ See Order Appointing David Keyzer, Esq. as Special Master for Disc. Purposes (the "Special Master Order") [ECF No. 74].